



Ethical questions in intercountry adoption

'You were able to choose
your child, right?'

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Recalling 3 basic facts

- Adoption is a child protection measure
 - Identifying a new stable and secure family environment for a child who needs one
- Adoption has drastic consequences
 - Change of care-giver, name, domicile, social environment (and, in ICA, change of nationality and culture) – leaving behind everything known
- There is no 'right' to a family in international law
 - Foreseeing a stable and loving family environment is simply a desirable policy objective



The desire to choose – right?

A natural approach...

- Responding to 'instinct'
- 'Our child chose us'
- Finding the 'ideal' child or...
- ... meeting expectations/avoiding 'disappointment' (*Los Niños* example)

... but not child-centred!

Many dangers, for both child and adopters...



The 'right' ICA goals in international standards

- That the **right children** – and only the right children – become 'adoptable'
- That adoption abroad is envisaged and carried out for the **right reasons**
- That each child is adopted by the **right person(s)**
- That the adoption is carried out in the **right manner**



The **right children** become adoptable

- Family status explored
- Free and informed consent
- Material poverty and other vulnerabilities
- 'Orphans' and 'orphanages': the reality
- Legal adoptability: necessary but not sufficient



ICA for the right reasons

- Applying the subsidiarity principle in the face of pressure
- Procurement of young children for ICA
- Reserving young children for ICA
 - No effort to find domestic solutions
 - Efforts to avoid domestic solutions
 - The 'disability' issue (Almaty + Moldova cases)
- Donations, contributions and 'aid'



Adoption by the right people

- Assessing capacities and 'demands'
 - Reviewing these with the applicants
- Selecting the most appropriate adopters for an individual child
- Knowledge of child's characteristics and needs (e.g. the Artyom Savelev case)
- Pressures to select (Ukraine)
- 'No other option...'
- 'Can't find the one we are looking for...'



Adoption in the **right way**

- Responding to needs, not applying for a child
- Transparent process
- Fees and cash payments
- The problem of 'independent' adoptions
- From 'adoptions in emergencies' to 'emergency adoptions': Haiti



Matching – the first step to bonding

- Matching is a child-focused procedure
- Seeks concordance between child's reality and potential adopters' aptitudes
- Contact between child and potential adopters is facilitated and monitored
- Potential adopters assess this as well
- Adoption proceeds if bonding takes place
- Post-adoption support: enabling bonding to continue developing



In conclusion...

- ICA must respond to needs determined by the country of origin
- Increasingly, children requiring ICA will have 'special needs' and be 'hard to place'
- Foreign adopters must be selected, matched and assisted so as to best meet these needs
- 'Independent' adoptions rarely comply with these conditions and should be banned
- ICA can be the 'right' solution – if it is for the 'right' child and by the 'right' adopters!